

Abourezk Amendment

AMENDMENT No. 1511

On page 7, between lines 13 and 14, insert the following new section:

PROHIBITING POLICE TRAINING

SEC. 10. (a) Chapter 3 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"Sec. 659. (a) Prohibiting Police Training.—None of the funds made available to carry out this or any other law, and none of the local currencies accruing under this or any other law, shall be used to provide training or advice, or provide any financial support, for police, prisons, or other internal security forces of any foreign government or any program of internal intelligence or surveillance on behalf of any foreign government within the United States or abroad.

"(b) Subsection (a) of this section shall not apply—

"(1) with respect to assistance rendered under section 515(c) of the Omnibus Crime Control and Safe Streets Act of 1968, or with respect to any authority of the Drug Enforcement Administration or the Federal Bureau of Investigation which relates to crimes of the nature which are unlawful under the laws of the United States; or

"(2) to any contract entered into prior to the date of enactment of this section with any person, organization, or agency of the United States Government to provide personnel to conduct, or assist in conducting, any such program.

Notwithstanding clause (2), subsection (a) shall apply to any renewal or extension of any contract referred to in such paragraph entered into on or after such date of enactment."

(b) Section 112 of such Act is repealed.

On page 7, line 16, strike out "Sec. 10" and insert in lieu thereof "Sec. 11".

1 (b) Section 29 of the Foreign Assistance Act of 1973
2 is repealed.

3 PROHIBITING POLICE TRAINING

4 SEC. 18. (a) Chapter 3 of part III of the Foreign
5 Assistance Act of 1961, as amended by section 17(a) of this
6 Act, is further amended by adding at the end thereof the
7 following new section:

8 "SEC. 660. PROHIBITING POLICE TRAINING.—(a)
9 None of the funds made available to carry out this Act, and
10 none of the local currencies generated under this Act, shall
11 be used to provide training or advice, or provide any financial
12 support, for police, prisons, or other internal security forces
13 for any foreign government or any program of internal in-
14 telligence or surveillance on behalf of any foreign government
15 within the United States or abroad.

16 "(b) Subsection (a) of this section shall not apply—

17 "(1) with respect to assistance rendered under sec-
18 tion 515(c) of the Omnibus Crime Control and Safe
19 Streets Act of 1968, or with respect to any authority of
20 the Drug Enforcement Administration or the Federal
21 Bureau of Investigation which related to crimes of the
22 nature which are unlawful under the laws of the United
23 States; or

24 "(2) to any contract entered into prior to the date

1 of enactment of this section with any person, organiza-
2 tion, or agency of the United States Government to pro-
3 vide personnel to conduct, or assist in conducting, any
4 such program.

5 Notwithstanding clause (2), subsection (a) shall apply to
6 any renewal or extension of any contract referred to in such
7 paragraph entered into on or after such date of enactment."

8 (b) Section 112 of such Act of 1961 is repealed.

9 LIMITATIONS UPON ASSISTANCE TO OR FOR CHILE

10 SEC. 19. Notwithstanding any other provision of law,
11 the total amount of assistance that may be made available for
12 Chile under this or any other law during fiscal year 1975
13 may not exceed \$65,000,000, of which amount not to exceed
14 \$10,000,000 may be made available for the purpose of
15 providing military assistance (including credit sales and the
16 face amount of guaranties).

17 POLICY WITH RESPECT TO INDOCHINA

18 SEC. 20. (a) The Congress finds that the cease-fire pro-
19 vided for in the Paris Agreement on Ending the War and
20 Restoring Peace in Vietnam has not been observed by any of
21 the Vietnamese parties to the conflict. Military operations of
22 an offensive and defensive nature continue throughout South
23 Vietnam. In Cambodia, the civil war between insurgent forces
24 and the Lon Nol government has intensified, resulting in

73 Act

30

The House amendment did not contain a comparable provision.
The Senate receded.

DEVELOPMENT AND USE OF COOPERATIVES

The Senate bill provided that not less than \$20 million made available during fiscal years 1974 and 1975 should be available only for assistance in the development of cooperatives in less developed countries.

The House amendment did not contain a comparable provision.
The House receded.

PROHIBITING POLICE TRAINING

The Senate bill prohibited police training and related programs for any foreign country under any law except those relating to certain crimes and administered by the Law Enforcement Assistance Administration, or with respect to any authority of the Drug Enforcement Administration, or the Federal Bureau of Investigation.

The House bill did not contain a comparable provision.

The House receded with an amendment applying the prohibition to programs in a foreign country and to funds made available under the Foreign Assistance Act. The prohibition is not applicable to any contract entered into prior to the date of enactment of this act that provides personnel to conduct, or assist in conducting, any such program but it prohibits extension of those contracts. Further, it is the intent of Congress that present programs being conducted by the Agency for International Development in foreign countries should not be transferred to some other agency of the Government in order to avoid this prohibition. The new language is meant to phase out such programs financed hereunder and the objective should not be circumvented by using other funds for this purpose.

INTEGRATION OF WOMEN INTO NATIONAL ECONOMIES

The Senate bill provided that development assistance programs should be administered with particular attention to the integration of women into the national economies of foreign countries.

The House amendment did not contain a comparable provision.
The House receded.

LIMITING USE OF FUNDS FOR ABORTIONS

The Senate bill prohibited the use of funds in any manner, directly or indirectly, to pay for abortions, abortifacient drugs or devices, the promotion of the practice of abortion, or support of research to develop methods of abortion.

The House amendment did not contain a comparable provision.

The House receded with an amendment prohibiting the use of funds to pay for the performance of abortions or to motivate or coerce any person to practice abortion.

This provision is not intended to interfere with or curtail support for preventive maternal and child health and family planning services and related research which are provided on a voluntary basis and in accord-

Dear Senator Abourezk:

This is in response to your letter of 27 August 1974 raising several questions concerning the National Security Act of 1947 in connection with my letter of 31 July 1974 to Chairman Fulbright on the adverse impact on this Agency's foreign intelligence mission of amendment No. 1511 to S. 3394.

The duties of this Agency are set forth in section 102(d) of the National Security Act of 1947, the preamble of which reads as follows:

"For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council--"

I believe it is clear in the CIA section of the National Security Act itself as well as in the legislative history surrounding its enactment that the fundamental purpose for creating this Agency was to assure that this nation's elected and appointed policy makers are forewarned and informed about those developments which may represent a significant threat or opportunity for a democratic society. It is this clear purpose and the specific implementing directions of the National Security Council pursuant to that Act which commits this Agency to the duty of obtaining the best possible foreign intelligence for the President, his principal foreign and military advisors, and for the Congress itself.

Enclosed is a copy of my letter to Chairman Fulbright on amendment No. 1511 which sets forth my views on the adverse effect of its possible enactment on this Agency's foreign intelligence mission, which is the only impact of the amendment of concern to this Agency.

It is hoped that this letter is responsive to your interests and if I can be of any assistance in this or any other matter, please do not hesitate to contact me.

Sincerely,

W. E. Colby
Director

Enclosure

Mr. President:

I rise in opposition to the amendment offered by the Senator from South Dakota.

The Foreign Assistance Act of 1974 as reported out of Committee prohibits police training, advice and other financial support for police, prisons, or other internal security forces through programs funded under the Act. This expands the prohibitions contained in the 1973 Foreign Assistance Act. As the Committee report indicates, these prohibitions reflect the judgment of the Congress that the, "United States participation in the highly sensitive area of public safety and police training unavoidably invites criticism from persons who seek to identify the United States with every act of local police brutality or oppression. . . . It matters little whether the charges can be substantiated, they inevitably stigmatize the total United States foreign aid effort." In the Committee's judgment, and I certainly agree with this, our interests would be better served if we left these highly sensitive internal matters to the foreign government.

But, the amendment now offered goes farther and I think too far. It would unnecessarily restrict important relationships that our intelligence community has developed with foreign intelligence organizations. The problem is that in many countries the intelligence services are part of and inextricably entwined with the local internal security or police force.

The Central Intelligence Agency, in the discharge of its foreign intelligence mission as directed by the National Security Act of 1947, undertakes activities for the purpose of obtaining foreign intelligence information from cooperative foreign security services. I have been informed by Director Colby that these activities and relationships are of considerable importance to our national foreign intelligence effort and that an essential element of many of the relationships is some limited training and other support, as well as the exchange of information and advice.

The advice and other support furnished by CIA to these foreign intelligence services is in furtherance of intelligence objectives, and is not related to the foreign countries' internal security concerns.

Restricting these relationships which are so important to our national intelligence effort would not further the goal of the amendment which I understand is to extricate the United States from foreign internal security activities that may involve police brutality and oppression; but it would do considerable damage to our national security.

The conference committee report on the 1973 Act indicated that it was the intent of Congress that programs being conducted by AID and prohibited under the new law, "should not be transferred to some other agency of the Government in order to avoid the prohibition." I have been assured by Director Colby, and I have heard no claims to the contrary, that the CIA scrupulously follows this statement of congressional intent and of course will continue to do so.

This provision, though general in scope, resulted from U.S. newsmen being denied access to bases in Thailand, constructed with the tax dollars of U.S. citizens, which are manned by U.S. military personnel.

The Committee believes that the provision enacted last year has achieved results and has decided that it should be made permanent.

Section 18. Prohibiting Police Training

Section 18, initiated by Senator Abourezk, would add a new section 660 to the Foreign Assistance Act which would prohibit use of foreign assistance funds to provide training, advice or financial support for police, prison, or other internal security forces of a foreign country.

The prohibition will not apply:

(1) with respect to assistance rendered under section 515(c) of the Omnibus Crime Control and Safe Streets Act of 1968, or with respect to any authority of the Drug Enforcement Administration or the Federal Bureau of Investigation which relates to crimes of the nature which are unlawful under the laws of the United States, or

(2) to any contract entered into prior to the date of enactment of this section with any person, organization, or agency of the United States Government to provide personnel to conduct, or assist in conducting, any such program.

This provision will expand the prohibition in section 112 of the Foreign Assistance Act of 1961 which was adopted by Congress last year. As approved by the Committee and passed by the Senate the provision that became section 112 would have prohibited all training of foreign police and related forces. However, in conference a compromise was reached with the House which applied the prohibition only to training. This new provision, in effect, will carry out the objective endorsed by the Senate last year in S. 2335. The Committee's comments on the prohibition proposed last year bear repeating here.

United States participation in the highly sensitive area of public safety and police training unavoidably invites criticism from persons who seek to identify the United States with every act of local police brutality or oppression in any country in which this program operates. It matters little whether the charges can be substantiated, they inevitably stigmatize the total United States foreign aid effort. In undeveloped areas of the world, the costs of public safety program are better left to be underwritten from local resources and the United States assistance effort directed toward less sensitive areas of social or economic development.

We have troubles enough with police/community relations in our own society. The Committee believes that our government's efforts would be better directed to this, and our own crime problem, rather than trying to teach foreigners how to run their police departments.

The prohibition is not intended to affect narcotics training by the Drug Enforcement Administration or to be interpreted as barring the routine sharing with foreign governments of information on international crimes, hijacking, terrorist activities, and the like.

Section 112 of the Foreign Assistance Act, which is superceded by this prohibition, is repealed.